

# TAX TREATMENT OF ENERGY STORAGE FACILITIES IN NEW YORK STATE - CLASS ONE

## Webinars

February 27, 2020

4:00 - 5:00 PM

Event Sponsor: NY-BEST in Partnership with Hodgson Russ LLP

February 27, 2020

Speakers: Daniel Spitzer, Mila Buckner, and Joshua Lawrence, Hodgson Russ and Dr. William Acker, NY-BEST

## Overview:

In this webinar we will examine New York State and local tax treatment of electric energy storage facilities. While the State has raced ahead in promoting the energy storage, guidance on the tax treatment of facilities has been lacking, creating uncertainty for the industry. In this webinar we will examine the key state and local tax issues involving energy storage facilities, including the following:

- Sales tax liabilities and exemptions
  - What exemptions- if any - apply to costs incurred in the course of installing the facility
  - Private vs. Public ownership
  - Permanent vs. Temporary issues
  - Standalone vs. Integrated storage systems
  - Sales tax treatment of energy sales
- Real property tax treatment
  - Treatment of electric energy storage facilities under tax exemption provisions for New York and New York City
  - Availability of exemptions under RPTL § 487 and through Industrial Development Agencies
  - Standalone versus Solar (or Wind) plus storage tax treatment
  - Issues for behind the meter storage equipment
  - Negotiating payment-in-lieu-of-tax (PILOT) Agreements

## Attorneys

Joshua Lawrence

Daniel Spitzer

## Practices & Industries

Real Property Tax Assessment & Eminent Domain

Renewable Energy

State & Local Tax

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- Methodology for assessing storage facilities
  - Income Capitalization
  - Cost basis
- Challenging real property tax assessments

To view the recording of the webinar, click here: <https://www.youtube.com/watch?v=chm7cuiOfxM>